

H1U3GAMF

Verdict

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

15 Cr. 588 (ER)

6 AHMED MOHAMMED EL GAMMAL,

7 Defendant.
-----x

8 New York, N.Y.
9 January 30, 2017
10 9:30 a.m.

11 Before:

12 HON. EDGARDO RAMOS,

13 District Judge

14 APPEARANCES

15 PREET BHARARA
16 United States Attorney for the
17 Southern District of New York
BRENDAN F. QUIGLEY
NEGAR TEKEEI
ANDREW J. DeFILIPPIS
18 Assistant United States Attorneys

19 FEDERAL DEFENDERS OF NEW YORK, INC.
20 Attorneys for Defendant
BY: SABRINA SHROFF
21 ANNALISA MIRÓN
DANIEL G. HABIB

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1 (Trial resumed; jury resumes deliberations 9:30 a.m.)
2 (In open court; jury not present. Time noted 12:34
3 p.m.)

4 MS. SHROFF: Your Honor, did you want the jury right
5 out or can we have a minute?

6 THE COURT: You can have a minute.

7 MS. SHROFF: Thank you.

8 (Pause)

9 MS. SHROFF: Thank you, your Honor.

10 THE COURT: Mr. El Gammal is now here. We are all
11 gathered.

12 We have received a jury note, it has been marked Court
13 Exhibit No. 5 and it reads as follows: Judge Ramos, the jury,
14 through difficult deliberation, has come to a verdict in
15 parenthesis S. We are now eating our lunch.

16 I am advised they have finished eating their lunch, so
17 we're going to bring the jury out now. But before I do, does
18 either side want me to poll the jury?

19 MR. QUIGLEY: Yes, your Honor.

20 MS. SHROFF: Yes, please, your Honor. Thank you.

21 THE COURT: Very well. Ms. Rivera.

22 MS. SHROFF: May I just move the computer that's
23 there?

24 THE COURT: Certainly.

25 MS. SHROFF: Thank you.

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1 (Jury present; time noted 12:42 p.m.)

2 THE COURT: Ladies and gentlemen of the jury, we have
3 received your note. It's been marked Court Exhibit No. 5 and
4 it indicates that through difficult deliberation, you have come
5 to a verdict.

6 Mr. Foreperson, is that correct?

7 THE FOREPERSON: Yes, sir.

8 THE COURT: Ms. Rivera, can I see the verdict.

9 Ms. Rivera, will you please now take the verdict.

10 THE DEPUTY CLERK: Juror No. 11, please stand. With
11 respect to Count One, how do you find the defendant?

12 THE FOREPERSON: Guilty.

13 THE DEPUTY CLERK: With respect to Count Two, how do
14 you find the defendant?

15 THE FOREPERSON: Guilty.

16 THE DEPUTY CLERK: With respect to Count Three, how do
17 you find the defendant?

18 THE FOREPERSON: Guilty.

19 THE DEPUTY CLERK: With respect to Count Four, how do
20 you find the defendant?

21 THE FOREPERSON: Guilty.

22 THE COURT: Thank you, sir. You may be seated, ladies
23 and gentlemen. I'm going to ask a question of each of you, the
24 answer to which should be yes or no. Okay?

25 (Jury polled. Each juror answers in the affirmative)

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1 THE COURT: So say you all.

2 Ladies and gentlemen of the jury, your work is now
3 done. On behalf of the court system and the parties, I want to
4 thank you for your service. You have been an extraordinarily
5 attentive, prompt, and as your note certainly indicates,
6 hard-working jury. It is a defining feature of our criminal
7 justice system, which is the envy of the civilized world, that
8 before our government can carry out among its most coercive
9 power, it must first convince a jury of our neighbors,
10 literally our neighbors, it is doing so only upon evidence
11 established beyond a reasonable doubt.

12 I hope you have found this to be a fulfilling
13 experience, and that when your friends, family, and neighbors
14 lament the fact that they have received a jury notice, that you
15 let them know just what a valuable and rewarding experience it
16 can be.

17 You can now talk about the case with anyone you wish,
18 including your friends and family. Or you can choose not to
19 talk about the case. It may be the case that the attorneys may
20 come up to you as you're leaving the courtroom and ask you
21 about your experience and what you thought about the way the
22 evidence came in. They're perfectly entitled to do that, as
23 are members of the press, and you may speak with them if you
24 wish. But you can also tell them that you don't want to speak
25 with them and you want to go about your life. I will leave

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1 that entirely up to you.

2 I will just ask for your patience for just a few more
3 minutes. When you go back to the jury room, just wait for me.
4 I'll be in a few minutes. Okay.

5 (Jury excused)

6 THE COURT: Ms. Shroff or Ms. Miron or Mr. Habib, any
7 motion that you wish to make any or any requests for
8 adjournments of the time limits set forth in the Federal Rules
9 of Criminal Procedure?

10 MS. SHROFF: Yes, please. We ask for 45 days.

11 THE COURT: Very well. Mr. Quigley?

12 MR. QUIGLEY: Can we get three weeks to respond, your
13 Honor?

14 THE COURT: Very well. And how many weeks to reply?

15 MS. SHROFF: Two, your Honor.

16 THE COURT: Unless there is anything else we need to
17 do, I just want to say on the record that this has been
18 obviously a difficult trial for both sides, a very, from my
19 perspective, a very different type of evidence that has been
20 presented. Obviously we'll be trying more trials like this in
21 the future based on backward looking social media posts, etc.,
22 and both sides did an extraordinarily thorough and professional
23 job of marshaling that evidence. I want to thank all of you
24 for your professionalism, for the courtesies you have extended
25 to the Court, certainly, and to each other, at least on the

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1 record. So thank you all.

2 MS. SHROFF: Your Honor, of course I'm sure the
3 government joins me as well in thanking the Court, especially
4 Ms. Rivera, for giving us what is not just a fair but also a
5 wonderful trial. Thank you.

6 THE COURT: Thank you.

7 MR. QUIGLEY: Thank you, your Honor.

8 THE COURT: Very well. Unless there is anything more,
9 we are adjourned.

10 (Adjourned)

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